

AN
ANNUAL PUBLICATION
OF
Historical Papers

Published by the Historical Society of Trinity College

DURHAM, N. C.

SERIES VII.

UNDER THE SUPERVISION OF THE DEPARTMENT OF HISTORY.

1907.

PRICE, FIFTY CENTS.



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Historical Papers.

SERIES 7.

THE INSTRUCTION OF UNITED STATES SENATORS BY NORTH CAROLINA.

BY EARL R. FRANKLIN.

The vital problem before the Convention of 1787, which framed the Constitution of the United States, was the relation between the States and central government, the necessity of preserving the powers of the States and creating a government strong enough to make a permanent union out of a number of independent units. Conscious of this problem, the States long hesitated to ratify the constitution, for they were jealous of the powers delegated to the national government; and in spite of the debates and interpretations leading to ratification the relation of the State to the federal government continued to be discussed for many years. Nearly every State, at some time during its history, was brought into conflict with federal powers and gave some expression to the theory that the sovereignty of the State is superior to that of the federal government. Indeed, that sovereignty is in the States seems to have been the dominant theory during the first three decades of the last century. Of the many examples and incidents that might be cited in illustration, none is more to the point than the custom of instructing United States senators by the State legislatures. This does not stand out clearly in our common stock of political history, but the custom was extensive in the union. It was founded clearly in

the conception of State sovereignty, and in North Carolina it gave rise to many notable incidents.

Instruction by the legislature was to a great extent an attempt of the States to control national legislation. For in controlling the senators they controlled, or at least influenced, national legislation. The members of the lower house were distributed according to population, and therefore one section might dominate this house. In the senate one State was equal to another, and if the legislatures of the various States could control the actions of their senators, the sovereignty and interest of each State would be protected. Again, the senators were elected for a term of six years, a long time for one man to hold so important an office when the States were watching to see whether the general tendencies would lead to centralization or to States rights. Consequently there was very early a claim by the States to control their senators. Thus, instructions of the first legislature of North Carolina declared "that the right to elect implies the right to instruct," and practically every State in the Union exercised the power of instructing until near the middle of the last century. This instruction was uniformly used by the legislature in which, unfortunately, the will of the whole people was not always expressed, due to the unequal distribution of representation and restrictions of suffrage.

Instruction was usually followed by the resignation of the senators when the will of the legislature and of the senator conflicted, indeed, it was often demanded. This does not imply lack of confidence in the senator's integrity, simply a divergence of policy, for the senator as well as the legislature looked upon resignation as a duty and a privilege, because under the constitution as under the confederation, the senator must represent the will of the State, not personal conviction. Instruction and res-

ignation were therefore in keeping with the nature of the federal government. This custom also seemed to receive strength from English precedent, for Burke denounced the doctrine in the following words when he represented India in the British Parliament: "Authoritative instruction, a mandate issued which a member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgment and consciousness; these are things entirely unknown to the laws of the land, and arise from a fundamental mistake of the whole order and tenor of our constitution."

There are, however, a few instances in which the senator refused to follow the resolution or resign, but public opinion was always against him. The confidence of his people was lost and he was branded as a traitor. Rarely did such a one ever regain the confidence of the people that he previously held.

This right of instructing was unquestioned in North Carolina in the first quarter of the last century. All accepted it as a prerogative of the legislature, and when resolutions of instruction were debated in our early history, it was the expediency, not the right, that was questioned. The journals of the legislature show that a committee was appointed at each meeting of the Assembly to draft resolutions to our senators and representatives in Congress regarding its ideas on national policies. These resolutions sometimes contained more than a dozen different items of instruction which the Assembly generally passed without much deliberation.

It is not my purpose to discuss all of these instructions, only to notice those which illustrate the constitutional theory of the legislature and its effect upon the senators, and also the growth of the opposition to this theory that became so strong in the Jacksonian era.

Three cases may be selected which show the sweeping nature of instruction and the different stages in the development of the opposition. In the case of Senator Stone in 1812 it seemed that expediency defeated the resolution; in the caucus resolutions of 1823 their private character defeated them; and in the Mangum resolution of 1835 the whole idea of instructing public officials, whether in public or in private matters, was boldly attacked.

The most famous case of senatorial instructions in our early history was that of David Stone during the War of 1812. Practically every senator before him had been instructed while in office, but in most cases the instructions were in harmony with the ideas of the senator and consequently there was no serious conflict. In the case of David Stone, however, the assembly and the senator had different ideas concerning the prosecution of the War with England, therefore the assembly proceeded to exercise its authority, and the following condemnation of his policy was introduced into the House of Commons, but was indefinitely postponed for reasons of expediency:

“In all free and well organized governments, more especially those of a republican form where all political power is wisely vested in the people, it is the inherent right of the constituents to call in question, to consider, and finally, if necessary, to reprehend the moral and public conduct of their representative . . . Whereas, David Stone, a senator of this State in Congress of the United States, did for reasons best known to himself and in opposition to the true and obvious interest and policies of the United States, and contrary to the wishes and expectations of the good people of this State, vote against the law imposing a direct tax upon the people of the United States in order to support the war . . .

We are lost in astonishment, we cannot conjecture what was the matter, by what consideration, by what scheme of moral and political turpitude he could have thus acted and so misplaced the confidence reposed in his hands. Resolved, therefore, that the vote given by Mr. Stone in the Senate of the United States, viz.: on the law levying a direct tax, on the act imposing a general embargo, and on the appointment of Mr. Galatin ambassador to Russia, we consider in principle down right submission to the enemy. Resolved, that the confidence of this legislature be withdrawn from said David Stone and that all communications of a public nature from the General Assembly to him be interdicted."

These resolutions, although indefinitely postponed, show the strict supervision of the legislature over a senator, and the severity of condemnation of that official's policy if it did not coincide with the wishes of the legislature. As a result of these resolutions, Mr. Stone in the year following tendered his resignation to the General Assembly. Thus we see almost at the beginning of our national history that the State legislature was opposed to the chief characteristics of the United States Senate; namely, its stability, its freedom from party rancour and faction. Evidently in the eyes of the legislature the senator was a mere agent, holding his office according to the constitution for six years, only when his wishes were in harmony with those of the General Assembly. When the Assembly changed its views a corresponding change of policy might be demanded of the United States Senator. Thus the Senate, which was intended by the framers of the constitution to be the conservative and most stable part of our government, might become subject to the fickleness of State politics.

The next resolutions which were debated very much in the Assembly were those of 1823 condemning the cau-

cuses of the members of Congress in which candidates were nominated for the presidency. This debate is famous, as it marks the change towards the principles which later were embodied in the Whig party. The Democratic party had been in power from the beginning of the new century, and the power of instructing had rarely ever been debated. This debate, however, shows the beginning of a somewhat organized opposition to this doctrine. The majority of those who opposed the resolutions of instruction as an abstract right of the legislature became Whigs and those that favored them became Jacksonian Democrats. The resolutions were also opposed because they instructed a senator in his private conduct, which even Bedford Brown and Robert Strange, Democratic leaders, opposed. The resolutions were as follows:

“Resolved, That the senators in Congress from this State and our representatives be requested as a means for preserving the rights of the people in the choice of the president to withhold their continuance from the practice of meeting in caucus by the members of Congress and that they use their exertion to prevent a nomination from being made in caucuses of persons to fill the offices of president and vice-president of the United States.”

Among those who opposed the theory and came out boldly against this right which had been exercised from the beginning of the government, was Mr. Blackledge. He asks the question: “Are we not stepping beyond our constitutional limits in instructing or advising our representatives in Congress?” He says further: “I conceive that there could be no right or expediency in tendering advice or instruction, where there is no responsibility between the party instructing and the party instructed. The members of the House of Representatives

are elected by the people, are responsible to the people only, and so far as we compose a small unit in the vast sum of the people, so far and no farther can we expect our advice or instruction to have weight with our members of Congress. They owe to us no allegiance as members of the legislature, nor in any other capacity but as individuals of the community; as a legislature we have no influence in their election. The same holds true with our senators who are eligible for re-election. There is no more propriety in instructing our senators than our electors." He said also if the legislature can instruct in one thing it can instruct in all things, and then Congress would be nothing more than a body of men that recorded the edicts of the State legislatures. Mr. Brown said in opposition to the question: "We are called upon to instruct our members of Congress, how they should act, not in their public character as representatives, but prescribing rules of conduct which are to govern them in their private capacity as individuals." Others opposing the resolution were Messrs. Roane, Taylor and Strange.

On the other side Messrs. Fisher, Iredell, Stanly and others upheld this right of the legislature. They considered the legislature as the "grand inquest of the people of the State, as the guardian of their rights, as the watchman placed by them upon the walls to give the 'alarm of approaching danger.' It is our right, our duty fully to investigate and fearlessly to challenge the movements of any man or any set of men, which in our opinion threaten our liberties or impair our rights." Precedents of all the States are quoted to strengthen their argument, and the case of censuring Senator Stone is cited.

The resolution was lost 82 to 45. This did not mean, however, that the majority of the people were against

the absolute right of legislative instruction, for the great majority still held this privilege as non-debatable. The private character of the caucus and expediency alone defeated the bill. If this right had been taken away from the legislature at this time practically the whole State would have considered its power in Congress as null. In the meantime, however, political conditions in North Carolina were coming to a crisis. The western counties were demanding a reform in the system of representation and other fundamental changes in the constitution which were opposed by the people of the East. There was a similar cleavage over internal improvements. Here, as elsewhere, a great wave of democracy was rising, which submerged the country in the Jacksonian Era. This change affected political conditions; the people became restless and discontented with the legislature; it was only a step from the sectional to the more national ideal, that sovereignty rests in the people, not the States. Indeed the States are only the agencies through which the people act. Consequently, legislative supervision of senators is unconstitutional and unwarranted. Such seems to have been the attitude of the Whig party in North Carolina. We have seen that in 1823 opposition to instruction was made by men who later became Whigs; and this right of instruction became a prominent issue when political affairs produced a reaction against the Democratic party and gave control of the State to the Whigs. The culmination of this process was in 1835, when the Constitutional Convention was convened, largely through the leadership of the Whigs or western men. But the year previous the right of instruction was an issue in the assembly when the resolutions to instruct Senator Mangum were introduced.

Indeed, the resolutions of the Assembly in the year 1834, instructing Willie P. Mangum, brought forth one

of the most interesting debates in the history of our legislature. The situation was this: Jackson had been somewhat humiliated by the Senate of the United States adopting resolutions condemning his financial policy. The Democrats were in a small majority in the State, so they determined to instruct Willie P. Mangum, the Whig senator, to vote for expunging the resolutions of the senate and thereby remove this humiliation from Jackson. It was seen from the first that there would be a severe contest between the two parties, for the Whigs opposed this right of instruction from a constitutional standpoint. The resolutions as introduced by Mr. Potts, of Edgecombe county, were: "Resolved, that the legislature of a State acting as the representative of the people of the State have a right to instruct their senators in Congress, and a just vindication of the character of our political institutions requires that such instructions should be given whenever a senator misrepresents the will of the State upon great questions of national policy or in time of public emergency, also that Willie P. Mangum, one of the senators from this State in Congress of the United States, be instructed to vote for expunging from the records of the senate of the United States the resolution declaring that the President, in his late executive proceedings in relation to the public revenues, had assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

As this debate was waged chiefly upon constitutional principles, we will give the chief points set forth by the two parties in support of their contentions. The chief speakers against the resolutions were Messrs. Flemming, Graham, Outlaw, Branch, and Norcum; those in favor were Messrs. Potts, Green, Edwards and others. A very good summary of the argument against the resolutions

is seen in the speech of Mr. Norcum, of Edenton. He said that the senate is a creature of the federal constitution, which was not adopted until eleven years after our State constitution. Our constitution does not recognize such an office. Therefore the power to elect which we have is conferred upon us by the federal constitution. We are the mere instruments to elect, but the senators represent the people as truly as the State legislature represents them. For us to instruct, is one agent instructing another agent; both are agents of the people. He further says it resolves itself into this: "Is this legislature the supreme or sovereign power of the State? If this is so, we can instruct or command, if not, we have no such authority." He continues that the senator is a representative of the sovereign power, but the legislature is not really sovereign, for the governor in many States can veto an act of the legislature and after forty days it is dissolved and a new one is elected. Moreover, courts can repeal its edicts. In his speech he also challenges that phrase of the first legislature regarding instruction, saying the right to elect does not imply the right to instruct. For instance, the senate elects the Supreme Court judges, but no one would dream of their dictating to them. Again, electors elect the President, but it would be absurd to think of their dictating the policy of the President.

Mr. Outlaw said from a practical standpoint the resolution had a threefold object: (1) To expel Judge Mangum from the senate of the United States, (2) to fill his place with some member of the Democratic party, (3) to strike a blow at the United States Senate through Judge Mangum. He says the Bill of Rights is the only thing that speaks of instructing, but this was adopted eleven years before the establishment of the national government, and therefore could only refer to State matters.

Besides, that clause in the Bill of Rights says that the people should instruct, but we are not the people, only their representatives. Many other notable speeches were made against the resolutions, but their essential points are the same as those given.

The arguments set forth in favor of the resolutions were the same as had been produced ever since the establishment of the government. There are no new ideas in the arguments. Prestige gave the points their weight. They claimed the right from the nature of the government. They cited that clause in the Bill of Rights which gives the people the right to instruct their representatives. They said that the State legislatures are as truly the constituents of the senators as the freemen are the constituents of the legislatures of the States; that the right to elect gave them the right to instruct. As one expressed it: "In absolute monarchies the people have no such right, but this right is exercised even in England, which is a limited monarchy. In 1829 Sir Robert Peel, who represented the University of Oxford in the House of Commons, resigned his seat because he would not vote for the Catholic Emancipation Bill which his constituents favored. This right has universally been held sacred in the United States. . . . If the people have a right to instruct, it lies with the legislature because it would be a mere shadow if it existed merely in the unorganized people. Mr. Mangum says he is willing to be governed by the will of the people, but did the will of the people send him to the senate? If it did, then the will of the people is now expressed by the legislature. Mr. Mangum virtually says, my constituents have the right to elect me, but after that I have nothing more to do with them nor they with me. Such language is not even tolerated in the House of Commons of Great Britain." Moreover, it was thought to be the

implicit duty of the legislature to express to the senators its ideas on national politics. If a senator votes for a measure which the people in general oppose, he is not to be condemned, but the legislature, if it fails to convey to him the wishes of the people. Precedent after precedent, which was not hard to find, was cited in defense of these resolutions.

The resolutions were adopted by a small majority and conveyed to Mr. Mangum, who finally resigned because he would not obey them. On his resignation the Raleigh Star had the following comment: "One by one all who might honor us in the council of the country are sacrificed to appease party rancour." The Raleigh Register said: "Let not the friends of the constitution and of public liberty quail under their momentary defeat. They have defended the good cause nobly and gallantly; and although they have lost the battle, they are not conquered. The enemy will have a short-lived triumph. The torch of truth has already been kindled which will soon dispel the present surprising darkness and infatuation." Many similar comments were made upon the result, which showed that the people in general through the United States were beginning to see the evil and undemocratic spirit which was embodied in the doctrine. All the leading magazines and newspapers were condemning it in their editorial columns.

When the legislature met in 1836 Judge Robert Strange was elected to succeed Mr. Mangum. Now both of our senators were Democrats who favored the abolition of the United States Bank and the establishment of the Sub-treasury. In 1838, however, the Whigs, who were strong supporters of the bank, had a majority in the assembly. Thus, there was a Whig legislature which believed in the bank and two Democratic senators who were supporters of the Sub-treasury. With this situ-

ation the Whig majority determined to use the power of instruction, as it was the only way by which the senators could be influenced. Moreover, the State was slow to give up this sacred right, for it was a right that died a fighting death; also expediency played a great part, for the contest between the Bank and Sub-treasury was severe and every means was employed in the different States to carry out the programme of the party in power. So in North Carolina Mr. Rayner, later a congressman, introduced the following resolutions: "Whereas, we believe that a great crisis has arrived in the political history of our country on the issue of which we conceive the safety of our free institution to depend; and, whereas, we conceive it our bound duty as representatives of the free men of North Carolina to express in calm and dispassionate language our opinions on the great questions which have been for sometime, and some of which are still, agitating the public mind: Resolved, that this General Assembly do condemn the Sub-treasury which the administration is endeavoring to establish."

These resolutions were adopted by the Assembly and copies were sent to Senators Brown and Strange, who resigned at the meeting of the Assembly in 1840. Again, the legislature of North Carolina in 1842 instructed its Senators to vote against the protective tariff of that year. This legislature also elected Mr. William Haywood to the Senate of the United States; as the tariff bill passed before he entered upon his duties as Senator, he was not called upon to vote on a tariff measure until 1846, when the Walker Revenue Tariff was introduced. Mr. Haywood was against a revenue tariff and feeling the responsibility of obeying the legislature that elected him, he resigned as senator of the United States.

These instances which have been mentioned show

what a dominating influence the State legislature exercised in national legislation. As some one said, if the right of instruction is sound, then Congress is a second Parlement of Paris, which only records edicts of other bodies. Although that comparison is too much overdrawn, yet this doctrine is another one of the many proofs that the national government was considered an agent of the States, and that federal officers were not officers of the people in general, but representatives of the States. Under such restrictions it was impossible for a senator to act with any degree of independence. When he did so, he was scorned by his people and branded as a traitor. In those cases mentioned, we have seen a gradual growth in the opposition to this right. In the case of Senator Stone it seemed that expediency caused the defeat of the resolutions, in the case of the caucus resolutions of 1823 it was decided that a representative was free to act except in legislative duties, in the Mangum resolutions the whole idea of instruction with the intention of exacting obedience or resignation was boldly attacked. Moreover, there is found in the speeches of the opposition to these resolutions a more liberal and democratic spirit than hitherto had existed. The idea that the legislature was the constituency of the senators is denied and that the right to elect implies the right to instruct is declared false.

Again, judged by these sweeping resolutions and by the exercise of many other powers of the old legislature, we must conclude that the nature of the early legislature was far different from the nature of the modern one. The early legislature of North Carolina had far more power than the one of today, it assumed practically all the prerogatives which the Crown and Parliament of England held before the Revolution. The Constitution of North Carolina before 1835 was the one adopted in 1776

when there was no central government at all; the Articles of Confederation had not then been adopted and so the constitution was framed independent of any other power. In other words, the early legislature of North Carolina claimed almost Parliamentary powers. It is true that in theory it only represented the sovereignty of the people, but in reality it was almost sovereignty itself. For this reason it appears that much of the irritation which existed between the early legislature and the national government, was due to the fact that there was not that accommodation between the two which ought to have existed. The relation between the two, however, was much better adjusted after the constitutional reforms of 1835, for the spirit of these reforms expressed itself in giving the people larger powers and in making the legislature less autocratic.

SELECTIONS FROM THE CORRESPONDENCE OF
BEDFORD BROWN—II., 1859-1868.

The second installment of the political correspondence of Hon. Bedford Brown is here given, the first having been published in Series VI of the Historical Papers. It is intended to supplement these letters in a future number by a study of Mr. Brown's political career.

WM. K. BOYD.

Matt W. Ransom to Brown.

Raleigh,

Jan'y 17th 1859.

My dear Sir,

In returning you the letters which you have done me the honor to permit to read, I can not refrain from expressing the high gratification which your kindness has afforded me. I find it difficult to explain the many emotions of pleasure which I felt on reading those beautiful sentiments of friendship and esteem which have been left you by the first men of this age, and I can not deny the fact that as a North Carolinian I was proud of the place which one of her favorite sons held in the judgment and affections of his noble peers, and I was yet prouder that I had been distinguished by you as one worthy to be trusted with and disposed to appreciate these cherished treasures. Among the many happy incidents of my intercourse with you nothing has given me so pure a pleasure as this simple evidence of regard, and it is not a form, when I assure you, that I shall always remember it with a gratitude as sincere as it will be full of pleasant appreciation.

The generation of great men with whom it was your fortune to be associated with in the National Councils is fast passing away and it is the second duty of those to

whom they left the best lessons of patriotism to preserve with filial tenderness every memorial of their wisdom and virtue. It will be a gratification to me to possess something connected with the illustrious worthies whose confidence you enjoyed and I have taken the liberty, which I know you would pardon, of keeping copies of the letters. I desire to have something by me to show that one, who must be pardoned for saying that he is one of the nearest relatives of Macon and has always been honored by the attachment of Edwards, had the happiness and the worth to secure the confidence, if not the admiration of their true and ever valued friend, and their able and faithful co-laborer in the great cause of the "Rights of the States."

I trust, Sir, that it will be some gratification to you to know that with the younger men of the generation you hold (retain) the same unblemished fame and excite the same attachment and cordial association which you enjoyed with King and Dallas in what I pray may not prove the best days of the Republic.

It is with a deep and ardent wish to see you long in the service of your beloved State and I hope that it may be my good fortune to retain and heighten the esteem which I now feel you honor me with.

I am with highest regard

Your friend,

M. W. Ransom.

Hon. Bedford Brown.

Senate Chamber.

D. S. Dickinson to Brown.

Binghamton

June 6, 1860

My dear Govr

Your esteemed favor of the 30th has just reached me, and I hasten to acknowledge your kindness in writing me. But for a heavy press of calls and correspondence, I should have acknowledged the high sense I entertained of your generous partiality for me at Charleston, though I could only have said what I say now, and what I said to friends who assured me of your friendship, that I could only return you the warm tribute of a grateful heart:—an honor which will be remembered and appreciated, whether in the quiet walk of retirement or in the public employment.

We have fallen, my Dear Sir, upon evil times, and it will require our best energies to rise above the influences that threaten us. It does not become me to speak of rival candidates, and I will not. True, it is the first time in the history of the country, when the minority and doubtful states have insisted upon forcing a single candidate out of a large number, upon majority states to the point of disruption.

For myself I have not sought the place and will not decline it. It is conceded by all intelligent men, I believe, that I could carry the state without question if nominated, and which, acting under leadership which they find it difficult to cast off suddenly, a majority of our delegation have thus far voted against me. I know it is the sentiment of the democracy and other conservative sentiment, that I should be nominated, and I believe, released from the associations which leadership imposes, a decided majority of the delegation prefer me. I am thrice repaid for all the pains and penalties of public life in which you can so deeply sympathize in the

generous public sentiments which greet me on every hand and from distant states of the confederacy.

We can save the party, the country and the constitution but we shall have no child's play. We must adopt no machinery—enter upon no experiments. The country demands and must have a well known man—known in the council of the nation. Not merely one who can make a speech or write a letter but one who has been tested and has given some evidence beyond that of sun shine (pattern) of fairness and fitness. If I am not such an one, I pray do not let me be nominated; for no other one can be elected and none other should be.

In case of a scramble in the convention at Baltimore,—a thing I fear too probable, the nominee put forth by the Southern States, should be carefully chosen. *He*, with Bell and Lincoln would most probably go with the House, and if an old line conservative democrat, would most likely be chosen. Hastily but

Sincerely Yrs

D. S. Dickinson

Hon Bedford Brown.

A. Ward to Brown.

Sing Sing N. Y. June 7 60.

My dear friend

I am in the receipt of your favr of the 30th ultimo and hasten to say to you that I concur in opinion with you in every thing you have so ably and eloquently said. It will not do to have Douglas and yet I fear he and his friends will insist on a nomination and if he does not succeed at Baltimore he will be put in nomination by his northwestern friends.

I am sorry to say that a majority of our delegates are of the old freesoil stamp and I fear they will continue to cast their votes for Douglas altho I have heard that Mr.

Corning of Albany says there will be a change in their vote. If Dickinson is put in nomination we will carry this State for him. I have sent your letter to him. He is a grateful man and will fully appreciate your kind feelings. I will, if in health, hope to meet you in Baltimore.

I am with sentiments of esteem and respect

Your sincere and devoted friend

A. Ward.

Hon Bedford Brown.

Van Buren to Theodore Miller.

Lindenwald,

June 11, 1860.

My dear Mr. Miller

Did you make the acquaintance of Bedford Brown of N. Carolina, at Charleston? If you did not let me advise you to do so without fail at Baltimore. He is without exception one of the best and truest specimens of the old Republican school now left in the country, an old and constant friend of Genl Jackson and my own, one on whom as much as any other man, we relied for support of our respective administrations in the Senate of the U. States. He has been Gov of his State, and represented it for two terms in the Senate;* I never knew him to be a candidate for office nor the time when we had any reason to believe that he would accept one or we would have been most happy to offer it to him. I at least would think the country fortunate to get such a man for the office of President or Vice President. Mr. Wright loved him as a brother and thought as much of his talents and his unsurpassed integrity as I have always done.

*Van Buren makes a mistake. Mr. Brown was never Governor of North Carolina. He was twice elected to the United States Senate.—W. K. B.

Please say to him that the responsibility of his not receiving a reply to his letter to my son John rests with me and the money he shall have in good time. I however caused it to be (read) to Messrs. (Aager) and company by Smith and them to understand the character of its writer. Present me kindly to him and also Mr. Edwards of the same State if he is with you. Accept my best wishes for a safe deliverance and believe me as ever

Your friend

M. VanBuren.

Theodore Miller Esq.

J. Spear Smith to Brown.

Baltimore 25th Jany: 1861

I have just received your speech of December last and have read it with infinite satisfaction. In these days of dereliction from duty, it affords me sincere pleasure to know that one whom I have long held in the highest estimation, still clings to those principles which have made us a potential member of the family of nations.

You say you "are certain that an immense, an overwhelming majority of the people of the slave-holding states, desired most anxiously a safe and honorable settlement of these differences in the Union—if possible."

I hope this is so and coming from so well informed a statesman I ought to give it full credence. But, when I look around and see how coldly the Southern members of Congress, with few exceptions, receive the various propositions of adjustment, I cannot help feeling painful doubts. It seems to me that, these gentlemen are perfectly indifferent, whether any of these propositions be doomed to failure, or to success. They must not however fairly represent the opinions of their constituents, and from what we have witnessed, I greatly fear that the opinions of the people cannot be fully and fairly

obtained for any purpose however grave. They are blinded in a whirlwind of passion, excitement, and enthusiasm. With no one to fight they are preparing like the poor knight of La Manchon, to fight even windmills And thus lashed up into the fury of fanaticism, they go and vote headlong, for their own destruction, designing stimulations ministering to, and driving them on in their impetuosity.

I have become so distrustful of all men and all parties that my thoughts wander into a more gloomy path than yours. These lead me to think, that this fearful disunion has been long, and maturely planned. Its plotters are able, artful, and indefatigable. They looked far ahead to their good, never lost sight of it, and turned every incident to good account, for its attainment. Hating the Union, they yet pretended to love it so as not too abruptly, to shock the sentiment of the people. In the meantime, they availed themselves of every opportunity for uprooting that sentiment by inflaming the popular mind with indignation at every taunt or threat of the North. Idle words of passion, of fanaticism, or of stump oratory, were blasoned forth as subversive of slavery. Bad and infamous as was such language, it was entitled only, to scorn and defiance. Scorn, for their unfriendliness, defiance for their impotency.

These plotters are too intelligent, not to know that the personal liberty bills, when unconstitutional, were a nullity, and subject for the Sword of Justice and not for that of the soldier. They knew the Supreme Court would decide them so to be, and the instances, in which the Federal Law had failed to restore the fugitive, were few or none, whilst the restorations were numerous. It is true, there have been occasional mobs, but where is the country in which there are no outbreaks of this sort?

They knew too, that no Southern right has once been

violated by the Federal Government—that in every foot of territory adapted to slave labour, there it would go, and no earthly power could prevent it—that the constitution could not be so altered as to endanger the slave interest—that it is a physical impossibility, as there is not public domain enough, to create such a number of free states, as by a two thirds vote to bear down, the fifteen slave states.

Now with these obvious truths before us, what other construction can I give to the course of these men, but that of a fixed determination to break up the Union? It may be asked, why? The best answer for them, is insanity. Though one might without any great ill nature trace it to motives of the worst character, but I cannot think of presenting to you, so hideous a tableau.

You may be assured that Maryland will hold her present position, until every effort has failed to accomplish a proper settlement. Most of the Border States seem to demand something of the Govt, tho in my humble opinion the constitution of the U. S. gives the largest guarantee for all our rights. To this great protective instrument, they should firmly adhere. If hereafter, an attempt should be made to interfere with the transfer of slave property into a territory, adapted to it, it will be time enough to sever the ties that bind us together. So likewise in regard to slavery in the District of Columbia, to the interior traffic, or the fugitives.

Still, I think something should be done if for no other reason to afford the desired satisfaction—to calm the apprehensions of women and children, and to restore those fraternal relations, so indispensable to a happy union of so many states.

With the greatest respect, I am My Dear Sir, your
obtd. svt. and friend

J Spear Smith

Hon: Bedford Brown.

L. I. Brown to Bedford Brown.*

U. S. Steamer San Jacinto
Off the Congo, W. Coast of Africa
At Sea, Feb 13th 1861.

My dear Uncle,

Supposing that my father has from time to time kept you advised respecting myself, since leaving America, I have been induced to allow quite too long a time to elapse without carrying out a desire which I have often felt—to write to you. Not that I suppose I can say anything respecting this remote and benighted country that will interest you—but because duty and inclination prompt me to do so—and because I feel well assured that you will be gratified to hear from me. I have often had the gratification to hear from you through letters which I have received from Washington and elsewhere,—and have also not unfrequently seen your name in the newspapers that have been forwarded to me, as taking part in the recent National canvass and through all of these sources of intelligence I have been glad to hear that you were in the enjoyment of good health. As respects myself, I feel thankful that, notwithstanding the many trials and anxieties incident to the discharge of my then and now responsible duties, as well as the natural feeling of regret that I have experienced from being so long and far away from all that is dear to me, I have generally enjoyed reasonably good health. I have endeavored to avoid, as much as possible the sun and shore which is very important in this hot climate. We are now in the heated term of midsummer,—and the weather is not only very warm but there seems to (be) a want of vitality about it that is very

*This letter is a personal one. It is, however, published on account of its historic associations. It will be remembered that a few months after this letter was written, on November 8, 1861, the *San Jacinto* overhauled the British mail steamer *Trent*, one day out from Havana, and took from her Messrs. Mason and Slidell, Confederate Commissioners to Great Britain and France.

oppressing to me and to all on board the ship. We are anxiously looking forward to the arrival of every mail in the hope that we may have something relative to our order being sent out by the Navy Department for our return home. We have been venturing to hope and shall trust that Mr. Lancy has sent the order and that they are now enroute for this station. But should this not be the case, it is feared that the successor of Mr. T. will in the press of other matters overlook us, and in that way be kept out here for an indefinite period. I do not know what you would be able to do in the matter, and indeed in view of your great kindness to me heretofore and on so many occasions, I feel reluctant to tax you on the subject. I know however, that you will excuse me for laying the matter before you so that you will be able (to) exercise your judgment with regard to it.

I suppose you have long since been made acquainted through the newspapers of the result of our cruising during the past six months and deem it unnecessary to give you particulars of the same, but will only say that the San Jacinto has made two captures, the first on the 8th Aug and the latter on 1st Oct, both vessels having on board full cargoes of slaves amounting in the aggregate to something over twelve hundred. I will be entitled to prize money from the capture of these vessels which I suppose will amount to some five hundred dollars in the aggregate.

Letters and papers which I received by the last mail, give sad and deplorable accounts respecting our troubles at home. I trust however, that the next mail will bring us accounts of a better feeling prevailing. Though it must be confessed that to us matters look gloomy enough at present and there is a great deal of alarm felt throughout the Squadron for the *safety of the Union*. We hope however for the best. I am getting on very well in the discharge of my official duties. Every thing

is in perfect order, and I always take a good voucher for every cent I pay out. I pay strict attention to every branch of my business and feel assured that everything *must come out exactly right*.

I receive letters from my dear wife regularly every month. She spends most of her time with her sister in Annapolis and seems to be in good health and spirits. She spends most of her time in reading historical works and the general improvement of her mind. She is very economical and does not seem to care at all about *dress* and *fashion*. Her devotion to me cannot be surpassed, and every day of my life, my dear uncle, but tends to confirm me in the conviction that I have made a *wise* and *most judicious choice* of a wife.

Remember me most affectionately to dear Aunt Mary and my cousins, and sincerely hoping, dear Uncle, to see you soon, I remain most affectionately

Your Nephew

L. I. Brown.

Please remember me affectionately to my uncles when you see them.

W. N. Edwards to Brown.

Poplar Mount, near Ridgeway N C 22 Nov 65

My dear Brown

I cannot tell you how often I thought of you during the late canvass and how sincerely I wished you success. When I reflected how many prejudices and passions were enlisted every where and upon the distempered state of the public mind, I confess I have fears for the result. With the present condition of the country, with gloom and despondency prevailing (in every bosom—the People poverty stricken (the whole South is a Pauper)—it is impossible to raise the public eye to a standpoint from which it can view and appreciate merit—and your defeat would not have excited

wonder, however much I would have regretted it. We want a chastened public sentiment—disciplined by experience—but I will not go into this thesis. “Non sum qualis eram.”—it costs me no little labor to write and more to *think*.

My purpose is to acknowledge your very kind letter, written at the close of the Convention—and to offer you more than all thanks for your more than kind concern in the matter of my application. I must beg yr attention again to it when you get to Washington—your presence I am sure will effect my release. I hear nothing yet from it. I am still in the cold—and should old age bid me depart hence—the reflection that I was under the ban would not lighten the passage of my last moments.

The vote in this county and throughout my old District may be misconstrued to my prejudice—but I have not (for the first time in 50 years) failed to attend an election till the two last, nor have I disclosed my preference to a living soul. I thought that my situation impliedly imposed silence upon me as a duty. We have lived, my good friend, in the Harvest time of the Republic; the present generation are but Gleaners in the Field.

May every blessing and all happiness attend you

In great haste

Yr faithful and fast Friend

W. N. Edwards

P S Pray write me from Washington

Hon Bed Brown

Locust Hill

Caswell Co

R. J. Powell to Brown.

Washington D. C.

16th March 1867

My dear Sir:

Yours of the 10th ult enclosing \$25 came duly to hand.

I have delayed responding because I could not say anything definite as to what Congress would do.

You have doubtless seen the military side of the 39th Congress. A supplemental bill providing machinery will doubtless be passed in a few days. Neither of these bills are what they should be, but I hope our loyal people will accept the Situation and in good faith do what is required of them.

Evil Councils have prevailed long enough. Those who have had control of our State affairs for the last fifteen months and have utterly failed to take a single step in the right direction, but on the contrary have by their folly greatly contributed to bring these harsh measures upon us, should now be willing to stand aside and let others who can right the ship of state take command.

How strange, yea it is passing strange that those leaders who led our people into the great folly, which desolated our State and filled it with widows and orphans during the war and who for fifteen months of peace have had entire control and who have utterly failed to render any good service, should still insist upon being further trusted.

I would harm no one. But we confine madmen to prevent them from doing injury to themselves or others and I do hope that our people will set these political madmen aside and put forward men who can and will render good service to the State.

Very Respectfully and truly yours

R. J. Powell.

Hon. Bedford Brown

Locust Hill,

Caswell C. N. C.

W. N. Edwards to Brown.

Poplar Mount near Ridgeway, N. C.

12th May, 1868.

My dear Brown

I have long most earnestly desired and often resolved to write you: but the "Vis Martiae" of old age holds the Will in complete subjection and has so crippled and benumbed my faculties that I cannot ever entertain *myself* by thinking, much less afford entertainment to a friend, and in the effort I now make I can do no more than offer you the sincere assurance of my affectionate remembrance and unabated regard, esteem and best wishes. Every day admonishes that "non sum qualis eram" and that in extreme age one becomes rather the creature of sensation than of reasoning—that is, when he loses the power of thought and derives no amusement from its exercise he seeks gratification chiefly in feeding and tasting. I am now fourscore years old and months beyond—and that you may see the deep channels which the resistless tramp of time has made, I send you my Photograph—it is the mere shadow of what I once was—so true is it that coming events cast their shadows before. Nevertheless my Health is good—spirits not bad and but for the troubles of my country and affections of my countrymen could spend the remnant of life in tranquility and ease. I mix seldom with the outside world, determined at the outset to avoid the losses and crosses attendant upon the kind of labor we now have. I tenant out my land as best I can and rely upon the scant supplies thus furnished.

So much for myself. Now tell me of *yourself*. How are you and Livingston and all others in whom you take deep interest. How do you employ your time; permit a friend to be inquisitive. I see you are still up and doing—still ready for yr country. Love of country estab-

lished upon principle has become a habit with you and its promptings are always heeded. I was glad to see you buckle on your armor in the late canvass and assist to drive back the hoard of evils that threatened to engulf us. Your example is worthy of imitation by the best sons of our good old state. It presents to the world the striking contrast between Intelligence and Virtue and the stolid ignorance and vice of the masses whom those who are engaged in wickedly plotting our Ruin would employ to effect their nefarious purpose. Statesmanship and honest public zeal are spurned and the sinks of corruption and the lowest moral debasement are searched to place over us guardians and rulers fit only for the shades of Phebus.

I know not what is in the womb of the Future—nor can I devise what will be the character of its offspring. Time can only inform us, but I am certain, that, such is the feverish excitement of the public pulse and the perditionous agitation of the public mind, unless conservative principles shall be reestablished, we shall be visited with anarchy, Chaos and serfdom. In such vile durance you and I and all good men would be excused for reasoning thus with life—

“If I do lose thee, I do lose a thing,
That none but Fools would keep.”

I am truly glad to see that you are a Delegate to the Dem. convention in N. York the 4th July and pray you not to fail to attend. We want virtue and intelligence there. The next presidential election will, I think, be the severest trial through which our country has ever passed. I should be pleased to see but one issue in the Platform of the convention, the issue of “State Rights.” It is so comprehensive as to embrace all others. Upon it the Sound People in N and S can rally and work together. These rights restored, our salvation is certain

and Republican government will reassume its pristine purity and healthfulness of action. I have some preferences for the election of Hancock. He is great. He is a gentleman and statesman and orthodox as a Politician—but this is more conjecture than matured opinion. I want you to go and choose for me. Call on your friend Buchanan on your way. He knows all about him. Would not his election bring Pa. back to us? We never lost our power in the Gov till Pa abandoned us. But I am tired and must stop this discursive talk.

Pray come and see me and make me feel like old times. I like to look back on the scenes and friendships of old “Lang Syne” and recall the green fields of young life. If you will but come to see me we will bury for a season the dirt and filth of the present times and teach each other to practice, as best we can, the philosophy that teaches that

“What’s gone, and what’s past help, should be past grief.”

Offer, if you please, my kindest regards to Livingston and remember me in kindness to my good Friend, Mr. Kerr; but above all accept with my best wishes the assurance that I am truly and sincerely

Yr fast Friend

W. N. Edwards.

To

Hon. Bedford Brown

Yanceyville

N. C.

**JAMES ROBERT BENT HATHAWAY—A GLEANER IN
NORTH CAROLINA HISTORY.**

BY WILLIS SMITH.

James Robert Bent Hathaway was born on February 9, 1841, in the town of Edenton, North Carolina. He was the son of Burton W. and Sarah Ann Hathaway. He received his education at the Edenton Academy under the Rev. James T. Pickett, and later other excellent instructors. While yet a boy he connected himself with the Methodist Episcopal Church and ever thereafter remained a consistent and active member of the same. At eighteen years of age his father died, leaving to him the management of his estate which, at that time, was of considerable extent, consisting chiefly of real estate and negroes. Thus we see that even before he had reached the threshold of manhood a great business responsibility was thrust upon him. It was possibly this responsibility which fitted him for his later usefulness in the business world.

On July 23, 1861, in Hertford, North Carolina, he was married to Margaret Z., the daughter of James V. and Mary C. Reed, and by her had two children; a son and a daughter. His son, Dr. B. W. Hathaway, is now a prominent citizen of Merry Hill, North Carolina. In 1864 he was mayor of the town of Edenton and engaged in the mercantile business. He was at this time a very prosperous man financially and otherwise. But the Civil War destroyed his business, freed his negroes, and left him with nothing. Later, in 1869 he again entered the mercantile business, but in 1875 his accumulated earnings were swept away by the results of the panic of 1873. In 1879 he began a banking business and was successful until 1895, when the financial stringency of 1893 forced him to give up his business. For several years prior to 1892 he was again mayor of Edenton. From

that time he held no other official position. During the three years following the closing of his banking business he had no steady occupation.

Thus indeed for a time did the cloud of despair seem to hover about him. But through it all he was the best example of his own idea of fortitude which he expressed several years before his death in the following words: "Fortitude is one of life's most useful lessons, certainly one of the most difficult to learn. It is taught so beautifully and impressively by the ferns as they bloom in the glens and dells of the forest; their leaves are brightest when the wind blows coldest and where the shadows fall the thickest."

But a more difficult and valuable work awaited him; that of the publication of an historical journal, *The North Carolina Historical and Genealogical Register*. He was endowed for this work with a love for the history of the past; he was intensely interested in the work of reclaiming lost facts concerning the history of North Carolina. A letter from a lady in Georgia in 1898 started him in genealogical research. Being already in love with the past he grasped the opportunity offered, and thus he began the work that gave him recognition beyond his native town and State. With the recovery from the United States government of some French Spoilation claims he was furnished the means with which he could begin the publishing of historical and genealogical facts that he discovered in the old records of Chowan county. From the very beginning of this work the desire to find out and publish unknown genealogical facts grew upon him. Thus, he was led to labor with untiring zeal that he might accomplish the task to which he had devoted himself. Soon he extended his researches into other counties of North Carolina and some of those of Virginia. It was in this manner that

he came to publish a magazine dealing with the history of North Carolina, in which investigators in genealogy throughout the nation are interested.

The first number of this magazine was published in January, 1900; it was a quarterly and ten other numbers were published. Each issue contained valuable facts and information concerning the history of North Carolina that could be obtained nowhere else. From its pages could be secured a truthful and accurate account of many happenings of importance in North Carolina, and in many cases the complete genealogy of a family could be obtained, which would have been impossible in any other printed source. Among the items of interest published in this magazine is an Abstract of Land-grants, taken from the Secretary of State's office, at Raleigh, N. C., for Shaftesbury Precinct, Chowan Precinct and Chowan County. Some of these grants date as far back as the time of William Berkeley, Governor of Virginia in 1663, while there are others dating in the nineteenth century. There is also an Abstract of Wills, executed and probated prior to 1760. Not until after this date were wills recorded in the county in which the testator lived. Prior to this they were filed with the Secretary of the Colony and recorded by him. Another item of interest is an Abstract of Conveyances, compiled from the office of Register of Deeds, for Chowan county at Edenton. These records include deeds and conveyances of many of the eastern counties, and are of great value to the genealogical student, since the names of bargainer and bargainee are given, the date of conveyance, and other specifications that dealt with such transactions at that time. Fully remembering that posterity is ever interested in its ancestors and desiring to foster this interest, Mr. Hathaway included in his magazine an Abstract of Marriage Bonds. An original of one of

these bonds is copied, showing to persons now living that it required a bond of £500 (\$2,500) to secure a marriage license by our ancestors.

Besides these, there are many other papers and articles of interest, such as an account of the first church built in North Carolina, of the Edenton Tea Party, articles of Peace with the Tuscarora Indians, and a register of officers of North Carolina troops in the Continental Line. Indeed it may be said that almost every fact of interest concerning the early history of North Carolina is spoken of in this publication.

That it would have been a success had the editor lived to carry on his work is assured by the fact that during the short time of its existence the Register secured for itself subscribers scattered over thirty States of the American Union, from Texas to New Hampshire, and from North Carolina to California. But under the conditions that he labored the publishing of this magazine was a great sacrifice for Mr. Hathaway. Each number left him with a deficit which he was compelled to make up. The North Carolina public did not at first recognize the valuable work that he was doing, and consequently he was left to make his way as best he could. In seeking to accomplish his task he was an arduous laborer, working each day as long as any clerk or register would keep his office open. It now appears that he considered his work both a pleasure and a duty, although he often went without the necessities of life that he might be able to publish the magazine containing the fruits of his efforts. However, nothing could persuade him to give up his work, and he would neither ask nor accept assistance from friends. He wished to have as many subscribers and advertisers as possible, but was not willing to burden anyone except himself with the financial loss, for he felt that it was a project of his own to be supported by

himself until the public at large came to his assistance as subscribers and advertisers.

That it was no money making scheme is clearly proven by the fact that at his death there was found a deficit of four hundred and fifty dollars. His son, writing of his father's work, said:

"Could my father have been persuaded to permit himself to be aided with clerical and financial aid, I feel sure that the enterprise could have been placed upon a substantial basis, and would have made a different showing. But the labor was too great for one man, and he paid the penalty of his devotion to the work by a breakdown in health which carried him to an untimely end."

Thus, having sacrificed his time, money and health he was called from life before his task was completed, and at Merry Hill, North Carolina, on the twenty-second day of September, 1904, at 4 o'clock in the afternoon, James Robert Bent Hathaway departed this life and entered into eternal rest; age sixty-three years, seven months, and thirteen days.

When we look carefully over Mr. Hathaway's work we are impressed with his absolute devotion to his task. Another characteristic which cannot help but be noticed was his wonderful memory, which aided him so effectually in carrying on his work. At his death there was left considerable genealogical data, yet it was worthless because of the use he had made of his memory in collecting the missing parts. The purpose of the Register can best be told in the editor's own words, clipped from the first number:

"It will be our province to glean from the public records of the eastern counties of North Carolina, as well as those of adjoining counties of Virginia, the history of those who severed the ties of friendship, blood and home in the Old World to brave the perils of the

deep and the greater perils of the wilderness to lay the foundations of the social fabric that has become the pride of every North Carolinian, and the admiration of her sister states in the great constellation which forms the American Union. We shall tell of the birth of their children, the marriage of their sons and daughters, the successes and distinctions they achieved in life, silently cover with the mantle of charity their faults, and speak reverently and respectfully of the fall of the curtain in the last act of the drama of life, remembering that the foundation of our present civilization so well and solidly laid, is, and will ever continue to be the credit of those who laid them while posterity can alone claim the credit for the improvement and development of the rich legacy they bequeathed."

That his work is now appreciated is evidenced by the many eloquent tributes dedicated to him. Chief among these is that of Col. R. B. Creecy, editor of the Elizabeth City Economist, for many years recognized as the oldest active editor in the United States. I quote it in full:

" 'Tis said that death loves a shining mark.' It might be said with more prosaic accuracy, that death is no respecter of persons. In its own appointed time it knocks impartially at all doors. To some the summons comes without premonition, to others warnings oft repeated portend the final roll-call. By the wise and virtuous the warnings are heeded and utilized in preparation for an event the most common and the most serious in the mysterious drama of life, in which each man plays his part and makes his exit.

"In this drama our deceased friend was of the wise who heeded the warnings and was purified by them for the final summons. He had 'sounded all the depths and shoals' of honor, and in all the varied vicissitudes of a prolonged pilgrimage he had proved himself a man, in

adversity and in prosperity? He met them both with the serenity of a philosopher and the trust of an humble Christian, who looks in faith upon the benevolence of an over-ruling Providence.

"He had been a merchant, a politician, a banker, and in all an enterprising citizen. For a time, in all of them fortune had smiled upon him, but reverses came. But God knew best what was best for him and for the section, and the work for which he was intended.

"He was a born ethnologist. He studied the past with the plain and honest purpose of making us acquainted with our ancestry. That great and pious task was the glory of his useful old age. He was truly the "Old Mortality" of Albemarle. He re-chiseled the fading lines of our forgotten grave-stones and introduced the present generation to its forgotten fathers. He revived the memory of the dead past. He brought back to us the ideals of our past glorious history. How well his work was done, all of us know who have read his truthful genealogy of the old families of Albemarle."

Believing thus, that the life of this man, who served well his time and generation, together with generations that are past and those that are to come will be remembered, let us say of his work:

"So long as men can breathe or eyes can see,
So long lives this and this gives life to thee."

THE ROSE OF SHARON BAPTIST CHURCH.

BY R. T. HOWERTON, JR.

[EDITORIAL NOTE.—In the autumn of 1906 Mr. A. E. Lloyd, of Durham, presented to the museum of the Historical Society a large, old-fashioned lock, which, according to very reliable tradition, had once belonged to the door of Rose of Sharon Baptist Church, the oldest church in the vicinity of Durham. A little inquiry revealed the fact that the church was the antecedent of the First Baptist Church; the church records were also found: and from them the following study has been made by Mr. Howerton, of the Senior class.—WM. K. BOYD.]

The Rose of Sharon Baptist Church was probably an arm of the Shady Grove Church of Wake county. It was organized August 12, 1845, by a presbytery consisting of Rev. Jesse Howell, Wm. Dupre, and John Judd. The church was established at Piney Grove Schoolhouse, about one mile south of West Durham, and became a member of the Raleigh Association. As the only Baptist churches near here were Mt. Moriah, about eight miles southwest, and Cedar Fork, the same distance east, this was a favorable location for a church. But its schoolhouse was not in the center of the community, so a new location was desired. About 1850 it was decided to build a church at Prattsburg. Prattsburg was a settlement in the eastern part of Durham, and the church lot was in front of the Union Depot. Prattsburg then consisted of a store and a few houses owned by Mr. William Pratt. When the North Carolina Railroad was building, the railway authorities wanted to make it a station. Mr. Pratt wanted to charge for the land on which the depot was to be built. Dr. Bart Durham lived further up the road and offered the company two acres of land

if the station should be named Durham. The offer was accepted; the depot was built near the present site of the Southern freight depot; Prattsburg disappeared and Durham's Station has grown into the present city of Durham.

The railroad was built through the grove of the church yard and the trains frightened the horses so that it became necessary to secure another site for a church. The church was given four acres of land on what is now Cleveland street, and the contractor who built a church on this property received in exchange the old church and the lot near the railroad. The house was completed and the congregation moved in 1854.

Rev. Jesse Howell was the first pastor of this church, serving until 1859. It was customary for the pastor to resign at the close of the year to give the church an opportunity to elect another pastor if desired. This custom was abolished in 1876 and the pastor was elected for an indefinite length of time. However, the pastor and church agreed that three months' notice should be given when a change was desired. During Mr. Howell's pastorate two churches were organized, Mt. Herman Church (1848) in Orange county, and Berea Church (1858) about five miles from Durham on the Fayetteville road.

In 1859 Rev. J. C. Marcom was elected pastor and served until November, 1861, when Rev. Jesse Howell was elected and served until 1863.

Rev. O. Churchill was then elected to serve for 1864, but it was discovered that he belonged to the Red Strings, a secret order considered treasonable, and in July, 1864, he was asked not to attend church any more as pastor. The name Red Strings was derived from the Biblical account of Rahab, the harlot, who aided Joshua's spies while in Jericho. It was agreed that a red

string should be the token or sign by which she would be saved for her services when the city was attacked. So the people of Durham thought the Red Strings was a society which hid spies and gave them information, for which they would not be harmed if the Yankees invaded the South.

Rev. A. D. Blackwood was then chosen pastor and served until 1867, when Rev. Jesse Howell was again elected and served until 1871. In 1867, on the third Sunday of April, the Sunday-school was organized. After this part of the work was begun it was the means of organizing every other church except the North Durham Church, organized in 1907; in this instance a church and Sunday-school were demanded at the same time. In 1870 the church became a member of the Mt. Zion Association, which was organized at Mt. Moriah Church, Orange county.

In 1871 Rev. F. M. Jordan was elected pastor, serving until 1875, when Rev. A. F. Redd served one year. During Mr. Jordan's pastorate help was extended to the Wake Forest ministerial students for the first time.

The discipline of the church during this early period was very strict. They required all male members to attend church conference or give an excuse to a committee. They believed in a strict interpretation of the Bible and governed the church accordingly. In 1856 there seems to have been some doubt concerning Biblical teachings on strong drink, and this query was introduced: "Is it right or wrong for a professor of religion or a member of a church to be seen in a grogshop or in a drinking crowd where there is rioting and intoxication, and participating with such in the use of alcohol or ardent spirits?" It was finally decided wrong. The whiskey question came up again in 1873, and resolutions were passed forbidding the making, buying or selling

intoxicating liquors *for gain*. Several members were excluded on account of these resolutions.

As the town grew social inducements increased, and it was an evident fact that church members, in order to enjoy *innocent* amusements and *harmless* games would make a loose construction of the Bible. The church, however, took the matters in hand. The first resolution was passed against dancing in February, 1868. It was resolved that any member of the church guilty of dancing or running Scotch ramble after music would be subject to discipline. In 1874 the question of dancing was again brought before the church, connected with card playing. The following resolutions were passed: "Resolved, that we believe dancing and social card playing by church members to be inconsistent with the religion which they profess, and further, that the members abstain from it and not permit it in their homes."

The church in its early life was a typical country church of its time. There was preaching once a month and communion every quarter. In 1873 preaching began to be twice a month; in 1876 twice on Sunday and communion every month.

In taking their seats in church the men sat on the amen side, right of the pulpit, and the women on the other, a custom which prevails in some country churches today. It was not until 1876 that the bashfulness of one sex for the other vanished and the men and women began to sit together. The Sunday morning this custom went into effect Mr. Durham preached a sermon from the text, "We have seen strange things today."

A portion of the church was set apart for the negroes, who were allowed to be members of the church before and after the war. It is interesting to note that the negroes were rarely brought before the church for violation of any laws before the war, but after the war, from

1866 as late as 1874, they were frequently brought up for various offenses and turned out. There is no record of any negroes taking letters of dismissal after the war, and the revised roll of 1880 appears without any colored names. It is uncertain whether they were all dismissed or whether they joined separate churches for negroes.

By 1876 the town of Durham was quite a thrifty little place and as the church had grown in proportion to the town it became necessary to employ a pastor to devote all his time to church work. Rev. C. Durham, of Goldsboro, was then elected and served until 1888, when he was elected Corresponding Secretary of State Missions.

Mr. Durham was one of the most progressive and energetic pastors the church ever had. When he took charge of the work he instituted a systematic plan for contributing to foreign and State missions, education, poor, and Oxford Orphan Asylum. The church responded liberally to this plan. It is interesting to note that the congregation gave then about four times as much to State missions as to foreign missions, while today the contributions are about equal for the two objects. The church was evidently a firm believer in missions, having due regard for home and foreign missions as they developed, and as their ability to give increased.

In 1877 the name of the church was changed from the Rose of Sharon Baptist Church to the Durham Baptist Church. The name Rose of Sharon was assumed by the Hopkins Grove Baptist Church, which is about six miles north of Durham, and which was organized in 1878 by this church. Another church organized the same year was Yates Church, on the Chapel Hill road, three miles southwest of Durham.

It seems that the site on Cleveland street was not

centrally located enough for the members of the church, so in 1878 they sold all of their property except the lot where the parsonage now stands and built a brick church on Mangum street, nearer the center of town, the present site. The following year the parsonage was built.

The relation of the Sunday-school to the church was closely guarded by the church. Prior to 1883 the Sunday-school officers and teachers were elected by a vote of the Sunday-school, but this year the election was placed in the hands of the officers and teachers. In 1887 they were elected by the church conference and it was not until 1890 that the Sunday-school was again allowed to elect its own officers and teachers, provided they were members of the church.

Mr. Durham not only worked, but he put his members to work. In 1885 he appointed eight committees to report quarterly. The following committees were appointed: (1) On all kinds of Missions. Among the duties of this committee was to study missions and inform the members on missions and distribute mission literature. (2) Committee of Ushers was appointed for the first time. (3) Committee on Absentees. (4) Committee on Sick. (5) Committee on Strangers. (6) Committee on Music. (7) Committee on New Members, and (8) Committee on Mission Prayer-meetings and Evening Sunday-schools. The last committee was divided into two parts; one for the eastern part of Durham and the other for the western part of Durham.

The last committee was very active and Sunday-schools were immediately begun in each section. The people in the western part of Durham met in a house owned by Mr. James Blackwell and the people of East Durham met in the public school. The former Sunday-school had about 100 members while the latter about 75

members. Sometime before 1888 the church purchased a lot on Chapel Hill street and built a brick church on it, and January 18 of that year 55 members were dismissed to organize the Blackwell Baptist Church, which later became the Second Baptist Church. It was then that the name of the Durham Baptist Church was changed to the First Baptist Church of Durham. The Third Baptist Church or the East Durham Baptist Church was organized in 1889 and 29 members were dismissed to effect the organization.

Mr. Durham's attitude towards woman's prominence in church affairs was not very favorable, and it was not until March 4, 1887, that they became organized into two societies, the Ladies' Missionary Society and Ladies' Aid Society. These societies have been of great service to the church, and the woman's work of this church is today leading all other Baptist churches in North Carolina.

The discipline of the church during this progressive period was also very strict. In 1878 a member was charged with covetousness for not paying his year's subscription. They required all members to give something or state why he couldn't. Resolutions were again passed against dancing in 1878. In 1883 a motion prevailed that all members who had been absent six months from church and did not take a letter should be dismissed.

On Mr. Durham's retirement in 1888, Rev. G. P. Bostic, of Concord, was chosen pastor, serving until 1889, when he resigned to go to China as a foreign missionary, where he is working at the present time. Mr. Bostic was a popular and an energetic pastor. It was left to him to finish the work of establishing the second, and third Baptist churches. The most important event in his ministry was a revival held in the fall of 1888,

after which 57 candidates were baptized and received into the church.

In 1889 Rev. J. L. White, of Elizabeth City, was elected pastor, serving until 1892. About this time the temperance question was a live issue in Durham. On December 5, 1889, the church adopted the following resolutions: "Whereas, the scriptures clearly condemn intoxicating liquors, therefore be it resolved that any member of the first Baptist Church of Durham, N. C., who shall give his influence to or vote to license bar-rooms, when the question of license or no license is before the people, shall be under censure of the church, subject to discipline and deemed unworthy of Christian fellowship; further, that this does not interfere with political views, local or national." These resolutions caused much debate until it was agreed to have the justice of the resolutions decided upon by seven ministers of other towns to be selected by the pastor, one from the majority, and one from the minority. The committee recommended that the clause regarding voting to license bar-rooms be repealed and substitute the following resolution: "Resolved, that it is the sense of the First Baptist Church of Durham that the spirit of the scriptures is clearly against the liquor traffic and against the use of intoxicating liquors as a beverage."

In 1889 the church made a hard effort to have the Baptist University for Women established here. It also had the coöperation of other churches and the town, and all together offered \$50,000 in money and property for its establishment here. The offer was not accepted and the University was established in Raleigh.

In 1893 Rev. W. C. Tyree, of Amherst, Virginia, was elected pastor, serving until 1902, when Rev. C. J. Thompson, the present pastor, was elected. The history of the church during the pastorates of these two minis-

ters assumes the modern phase, with which most people are familiar. A few statistics, however, will show the development during this time. The churches organized were West Durham in 1893, Edgemont in 1902, and North Durham, in 1907. The church membership has increased from 548 in 1894, to 732 in 1907. Its liberality in giving is one of its most commendable characteristics. In 1894 its total disbursements amounted to \$2,289.50, and in 1907 the disbursements amounted to \$10,438.18. The property of the church has been improved from time to time until it now has a valuation of \$25,000.

The principal characteristics of the church which have led to its success were: (1) Its strict discipline during its formative period. (2) Its persistent energy, and (3) Its ready adaptability to conditions as the town grew.

COLONEL WILLIAM J. HICKS.

BY ROBERT L. FERGUSON.

Among the various great men who have graced the annals of North Carolina in its past, we may well place Colonel W. J. Hicks, of Oxford, N. C. His integrity has rendered him illustrious while his ability in his profession as a self-made man and his public services have gained for him an enviable reputation in North Carolina. While yet a youth he won the high esteem of all his associates. This continued until at present he is admired for self-attainment, personal excellence, patriotism, and the exalted sentiments which animate him in every sphere of life.

He is of a distinguished lineage. Among his ancestors was Peter Hicks, a fair type of a high-born Englishman. He was the earliest adventurer of the Hicks family to come to America. He settled in Spottsylvania county, Virginia, and became the foremost pioneer of his county,—aye, the very making of it. His son, also Peter Hicks, was for a number of years high sheriff of his county, and became a brilliant brigadier in the Revolutionary War. He attained a great age, dying in 1844, and enjoying the veneration and high esteem of his community.

William is the grandson of this Peter Hicks, through his son Martin. He is thus one of the representatives of those men whose axes had first rung in the forest of old Spottsylvania county, and is a worthy scion of an illustrious stock, whose virtues and excellence he has inherited, while his every efforts are worthy of the lineage.

He was born on February 18, 1827, in Spottsylvania county, about thirty miles from Fredericksburg, Va. At the age of three his mother died, and since his father, by ill luck and other means, we know not how, had lost

his fortune, the early youth of William was beset by various difficulties. His body was frail, weak and delicate, but his inner ambition would not allow him to succumb to such weakness and frailty. Like Gladstone, he determined to develop his body, even at the very hazard of his life and his every energy pointed in that direction. Nor were his labors in vain. In later years he developed into a stately figure, tall, large-framed and well proportioned—indeed a specific type of vigorous manhood.

His educational advantages were handicapped by the prolonged illness of his father, which forced him to remain at home and manage the farm. Accordingly, at the early age of fourteen the responsibility of management was thrust upon his shoulders. Soon after that his father died and he was thrown upon his own resources even more than ever. His youth became that of a hard struggler; not content with grappling with the clod and soil, he seized every opportunity to improve himself. By dint of perseverance he educated himself, and although he failed to attain to the height of a college education, he met with the greatest success in his chosen line of work. He was so awakened to the importance of remedying his deficient education that he carried his book with him as he worked by day and vied that he would outwatch the wee-lone hours of the night in his pursuit for knowledge. At times, it seemed as though adverse circumstances would grind the very essence of ambition from his youthful mind. But not so. In the midst of adversity and ceaseless struggling he was victorious.

The time had come for him to decide upon his life's avocation. Farming had already proven insufficient for his field of activity. He now turned to stone-cutting and quarrying stone. At this he received a scope of experi-

ence which rendered him invaluable service in after years. Though his life, up to this time, had been chiefly consumed with agricultural pursuits, yet from his early childhood he displayed an innate skill for fashioning useful tools and toys. While he was still engaged in stone-cutting, he lost no time in mastering the miniature points about carpentry, which rendered him an expert at that trade. Nor did he lend a deaf ear to the mill-wright business. At this he worked for nearly sixteen months and gained a perfect knowledge of its every detail.

Eager to know the fundamental principles of a machinist he applied himself to that trade with such energetic perseverance and indefatigable courage, coupled with inborn talent, that, in a remarkably short time, he became an expert machinist. Thus, with the knowledge of a stone-cutter, carpenter, mill-wright and machinist, he had built a foundation for one of the most competent architects and contractors that North Carolina has ever produced.

In 1848 he moved to North Carolina and first began the construction of a mining plant near Greensboro. Later, he moved farther east and built a paper mill on the Neuse river near the Falls of Neuse. Being near Raleigh, he soon located there, and settled down as an architect, contractor and builder.

Here he married Miss Julia Louise Harrison, of Raleigh, on the 4th of March, 1858. She is living now and they are considered to be one of the most venerable, lovable couples in the State. She has ever been alert to her duty in assisting her husband, and well might we say no family has ever been more congenial than this one. They have four children living—two sons and two daughters. The eldest of these holds one of the most important positions of all the American Tobacco Company—that of treasurer. The other brother is located in

Montgomery county as a manufacturer. The elder daughter is at home with her parents, but is to be married in quite a short while; the younger daughter is already married and living in Pittsburg, Pa.

With the outbreak of the war, Mr. Hicks turned his paper mill on the Neuse into a powder mill, which rendered the Confederacy invaluable services in furnishing the grey veterans with ammunition. It was one of the chief sources from which the Confederacy was supplied with gunpowder, and although he was not a fighter in the struggle, his services were even more important than that of many generals in the army.

For sometime North Carolina was becoming famous for her rosin fields. So, after the war, since the powder mill had been destroyed by the enemy, Mr. Hicks ventured into the rosin business. The demands for this article were so great that his business thrived and prospered with amazing rapidity. But his mind was of such a constructive nature that he was compelled to return to his old trade.

In 1869 the State decided to erect a penitentiary building. After surveying all North Carolina for the most efficient architect, the board of directors could find no one who was half a peer to Mr. Hicks. Accordingly he was elected to the high position of superintendent and architect for the State. He performed his duties so satisfactorily that the honor of COLONEL was conferred upon him by popular will. He held the position of architect for the State, and Warden for the Penitentiary, for twenty-five years, the longest consecutive term on record that such a position has been filled in all the United States.

During this period of his life he erected many buildings for the State and private residences. Under his supervision was built the governor's mansion and nearly

all of the handsome brick structures in Raleigh. Throughout all portions of the State he built many county roads and railroads—among these the old Cape Fear and Yadkin Valley line, out of Greensboro. These alone will be a perpetual monument to his posterity.

After severing his connection with the State he again entered private business in Raleigh in 1894. During this period Trinity College had great need of his skill. The tower of the main building had collapsed and authorities sought for help in many northern cities, especially Baltimore and New York, but all to no purpose. At last, Colonel Hicks stepped in with his skill, foresight and sane judgment, and prevented the whole building from total destruction.

But few of us realize the fact that Colonel Hicks enjoys the honor of having superintended the construction of every brick building of Trinity College and Trinity Park School, save the Main Building. This alone should give him an honorable place in our midst. For this reason his venerated portrait now graces the wall of the college library, and his will be a time-honored name among the annals and archives of Trinity College in years to come.

In 1898 he was elected superintendent of the Oxford Orphan Asylum. Here his services met marked success. A great cause, tottering under the burden of debt, and almost prostrated for lack of means by which it could be steered; with buildings insufficient to supply the demands of the children, and at times not knowing one day where food would come from to feed children upon the next; such was the condition of that cause when Colonel Hicks took charge. From this state of reeling uncertainty, he has steered the institution clear of debt, has stirred up the people of North Carolina concerning their duty to the cause, thereby instituting an annual income

for its support. In place of this lack and privation of the children, he has, with the aid of the teachers and other workers, succeeded in obtaining for them better food than that of the average child with father and mother. He has erected twelve modern, well-equipped buildings and the children live in circumstances fifty per cent better than the average child. This has almost made his name immortal among the people of North Carolina.

In the realms of Masonry he figures as one of the foremost and most influential Masons that North Carolina has ever produced. He has gone through every degree in the category of Freemasonry, except the last one—an attainment which rarely can be reached by any save the most influential and most venerated, and those who have the good fortune of sinking far down into the realms of four score years of age.

With the passing of the 4th of March, 1908, he will have been married a half century. At that time he will celebrate his golden wedding, an event much looked forward to by his immediate family in his declining days. He has reached the zenith of his course and is now weltering toward his haven of rest. He mastered himself, created opportunity, loved his State, lived for its people, and laid the best that was in his heart and brain upon the altar of the State's need.

After all, there is nothing grander than the living of such a life. Well might it be said of him, as was said of Grady: "I have seen the light that gleamed at midnight from the headlight of a giant locomotive, rushing onward through the darkness, heedless of danger and uncertainty; and I have thought that it was grand. I have seen the light come over the eastern hills in glory, driving the lazy darkness like mist before a sea-born gale, till leaf and tree and sprig of grass sparkled as myriad

diamonds in the morning; and I have thought that it was grand. I have seen the light that leaped at midnight athwart the storm-swept sky, skimming over chaotic clouds, mid howling winds, till cloud and darkness and shadow haunted earth flashed into midday splendor, and I knew that it was grand. But the grandest thing in all the world, next to the radiance that flows from the Almighty, is the light of a noble and beautiful life, wrapping itself in benediction around the destinies of men." Such has been the life of Colonel William J. Hicks.

HENRY CLAY'S VISIT TO RALEIGH.

BY EARL R. FRANKLIN.

Probably the greatest event in the history of Raleigh during the middle part of the last century was the visit of Henry Clay in the year 1844. This was a year of one of the most exciting presidential campaigns in our history. Henry Clay was the nominee of the Whig party, which had come into prominence during the previous fifteen years and had dominated national politics for four years. On the other hand, James K. Polk, a native of North Carolina and graduate of our University, was the nominee of the Democratic party, or as it was better known, the Loco Foco party. Many elements made this campaign exciting—the men and the party principles. There was Henry Clay, the idol of the Whig party, who had been noted for his prominence in national politics for twenty or thirty years; while on the other hand there was Polk, a dark horse candidate and unknown to the public, who was the head of a party which had dominated national politics, with the exception of four years, from the beginning of the new century. Besides, there was the bank and sub-treasury question, which had been the paramount issue for twelve years, also the Texas and other less important questions.

All of these playing their part made Clay's visit to Raleigh a memorable event in our State history. Clay had promised two years before this to come to this State, but had never come, so the leading Whigs took advantage of this opportune year and pressed the invitation upon him to fulfill his promise during his canvass. Clay accepted the invitation to come to Raleigh on the 12th of April. After this announcement had been made, the people of the State began to look forward to and prepare for this great event. It was not merely a local affair

for Raleigh, but an event toward which the whole State looked with great interest.

It is useless to say, during such an exciting campaign, that Raleigh and vicinity and indeed the whole State did their best in preparing for his visit. It seemed that the people forgot party prejudices, as strong as they were, and joined hand to hand to give the State's distinguished visitor a most cordial welcome. The committee on entertainment prepared a great public barbecue sufficient to feed several thousands. As the Raleigh Register stated, the people throughout the State highly fed their animals for the event. One farmer in the west sent word to Raleigh that if they needed any meat to let him know, and he would see that meat would not be a question in entertaining the people.

Besides the preparation for the public entertainment, the ladies of Raleigh and vicinity prepared various souvenirs and emblems on Clay and his visit. One of these was the Clay banner which was executed by Charles Doratt. The design was as follows: "On the right side of the picture, a female figure robed in the national flag is endeavoring, although weak and exhausted, to raise herself from the ground; she is surrounded by dark clouds, and near her in the background are representations of envy and discord. In the center of the picture is a full length picture of Henry Clay, with his left hand assisting the female to rise and with his right hand pointing to the right of the picture, which represents a clear beautiful sky, a view of the ocean crowded with ships discharging their cargoes on a beach covered with merchandise. In the foreground is a rural scene on a beautiful spring morning." Also various verses were composed to celebrate the occasion, such as the following:

"Nature is ever the same, they say,
 Today the proof's before our face;
 She made the first of the race of clay
 And Clay is still the first of the race."

In retaliation to the Locos who sneered at the Whigs and called them "Coons," from the emblem of the party, we find these words:

"Of all the gay tenants that live in the wood
 And dance by the light of the moon,
 To say what is true and stick to his word,
 Boys, give us that honest old coon.
 To say what is true and stick to his word,
 Boys, give us that honest old coon."

Also we find in the Raleigh Register an ode to Henry Clay, from which I quote a few lines:

"We greet thee now.
 But as the mighty deep,
 Wakes from her giant sleep,
 When the wild storm hath power;
 Ten thousand hearts with one wild pulse do leap;
 While from the mountain's side,
 And valleys green and wide
 Are gathering at this hour

 Gray sires and eager sons to hail the day
 That welcomes to each hearth and home the
 Patriot Clay.
 Thou art no stranger here;
 For noble deeds like thine,
 Through the long lapse of time,
 Shall rear for thee a shrine,
 In every home and heart where freedom still is dear."

While these extensive preparations were being carried on, the time for his arrival was drawing near. A committee of the following was ordered to meet Mr. Clay below Wilmington at Somerville, where he was to land, and escort him to the city: Messrs. Gaither, of Burke; Pearson, of Davie; Montgomery, of Montgomery; Hale, of Cumberland; Hill, of Northampton; Williams, of Surry; and Grimes, of Pitt. To coöperate with this

committee was a committee of eighteen—two from each congressional district. On account of a day's delay Mr. Clay did not arrive at Somerville until Wednesday morning at sunrise. Here he was met by the above named committee and escorted to Wilmington, where he made his first public speech in the State. It was short but touching; from it we quote a few words: "I have long looked forward to this visit to North Carolina with a pleasing hope and now having set foot upon her soil for the first time today, my fondest anticipations were in a course of being realized, and the event will form an epoch in my life." He further said, "I come not as a political gladiator, but as an American citizen. I take the hand of one party as cordially as I do another, for all are American citizens. I place country far above all parties." Mr. Clay spent the day and night at Wilmington. On Wednesday night a great ball and reception were given in honor of him.

On Thursday morning, between six and seven o'clock, Mr. Clay took his departure for Raleigh, accompanied by the Clay committee. At seven o'clock p. m. they were half a mile from the town, where they were met by the Raleigh delegates, which consisted of Captain Smith's cavalry, Captain Lucas' light infantry, and the special committee of reception, besides the countless throng, and were escorted to the Governor's mansion, where he was a guest during the visit to Raleigh.

As to the people who greeted Mr. Clay as he approached the town, we will accept his own statement, which was that the whole State was there. It was an enormous crowd for Raleigh at that time, when we consider the size of the town and the sparsely settled community. The Raleigh Register states that "One would think that the whole world were Whigs—men, women, children, and coons." We further quote: "From every

county, from every town, from every hill and valley, came forth her gallant and true-hearted sons, to swear anew their allegiance and fidelity to the unaltered and unalterable principles of the Whig party. The planter left his field in the very midst of planting time, the mechanic abandoned his vocation, the lawyer forsook his books and his briefs, the merchant his ledger and his counting room, the physician his pills and patients, to come up one and all to the grand council of State." The visiting ladies were entertained in the homes of the Raleigh people—"the string of every latch was hanging on the outside of the door"—while the great majority of the men came in their covered wagons of 1840, bringing with them provisions sufficient to last them through the visit. It was stated that four or five acres were occupied with the wagons and other vehicles.

On the night previous to Mr. Clay's arrival, the great throng of people gathered at the capitol square under the strains of the Salem band. Here several prominent speakers were called upon, and made Whig speeches. First Edward Stanley was called for and responded with an hour's speech. Then H. K. Nash being called for, responded in an enthusiastic speech. Finally Mr. Brownlow, editor of the Jonesboro Whig, being called for, though not a speaker, as he said, entertained the crowd with his wit and humor. Some one of the audience later said that "the way he did curry the Locos and make the fur fly was distressing." Another said "he ought to be indicted for violating that provision of the constitution which forbids the infliction of cruel and unusual punishment."

The crowd reassembled at the capitol square on Friday at 12 o'clock, and several distinguished visitors made speeches, among them Mr. Shelton, of Buffalo Springs, Va.; and Mr. B. W. Leigh, of Richmond, who

was later one of Virginia's U. S. Senators. "His speech," as someone said, "was worthy of Virginia in her palmyest days." Among others who spoke were Messrs. Cherry and Reade, both of whom were prominent in political affairs of the State. The last meeting of the crowd was on Saturday night, at which time Messrs. Badger, later a U. S. Senator and member of Tyler's cabinet, Moore, Syme, and Harris being called for made appropriate speeches.

The above mentioned features, though important in the event, were not, of course, the chief part of the occasion. The great and most important meeting took place on Saturday morning, when Henry Clay, the longed for visitor, spoke. The great crowd gathered at the capitol square at eleven o'clock and formed the procession which on the day before had met him. The procession marched to the Governor's Mansion, where it was joined by Clay and his party, who were drawn by four gray horses in an open landeau, and escorted to the platform in the capitol square, which was built for him to speak from.

Mr. Clay spoke for two hours, and said in part: "A long cherished object of my heart is accomplished. I am at your State capital in the midst of you. I had expected to find some hundreds, perhaps a few thousands, assembled here to greet me, but I did not expect to see the whole State congregated together, but here it is." Mr. Clay then took up the issues of the day; first, he spoke of the manner of electing members of the House of Representatives. From the establishment of the Union there had grown up a custom among the States to elect their congressmen as we now elect our presidential electors, that is, by the State. Congress, seeing the evil of this method, made a general rule for the election of congressmen, and that rule was by the district. To this

rule some States complied, others did not. Among those that did not were Missouri, Mississippi, Georgia, and New Hampshire. These congressmen were permitted by a Democratic Congress to take their seats, while New Jersey elected by district, was deprived of some of its members. Mr. Clay said that he was in favor of election by district and the enforcement of the law. The next question was the illegal way of admitting Michigan into the Union, which was sanctioned by the Democratic party. In passing he condemned Dorrison in Rhode Island, which he said had been encouraged by the Jackson party. Another question which he touched upon was the tariff, which had been a live question for thirty years. As we all know, he was the great compromiser between the North and the South upon this question in 1832, when South Carolina nullified the tariff of that year. He advocated a tariff for revenue with incidental protection. He said, "I believe no great nation ever has existed or can exist, which does not derive within itself essential supplies of food and raiment and the means of defense. We must reject both high tariff and free trade." He strongly advocated sound money, which, he said, could be brought back permanently only through the establishment of a Bank of the United States. He also advocated an equitable distribution of the funds from the public domain among the several States according to the federal population. He ended the two hours' speech with the following paragraph, which sent a thrill of enthusiasm accompanied with a sense of sadness: "We are about, fellow citizens, finally to separate. Never again shall I behold this assembled multitude. No more shall I probably ever see the beautiful city of oaks. Nevermore shall I mingle in the delightful circles of its hospitable and accomplished inhabitants. But you will never be forgotten in this heart of mine. My visit to your State is an epoch in my life. I shall carry with me

everywhere and carry back to my own patriotic State, a grateful recollection of your kindness, friendship, and hospitality which I have experienced so generously at your hands. And whatever may be my future lot or destiny, in retirement or public station, in health or sickness, in adversity or prosperity, you may count upon me as an humble but zealous coöperator with you in all honorable struggles to place the government of our country once more upon a solid, pure and patriotic basis. I leave with you all that is in my power to offer, my fervent prayer that one and all of you may be crowned with the choicest blessings of heaven, that your days may be lengthened to the utmost period of human existence, that they may be unclouded, happy, and prosperous, and that when this mortal career shall terminate you may be translated to a better and brighter world." A newspaper writer describes Mr. Clay's manner of speaking in the following terms: "There was a sort of indefinable simplicity about his manner, a majesty in his voice, a swelling, overpowering grandeur and sublimity in many of his sentences that must be heard to be appreciated. We must confess that the half had not been told us."

On the termination of his speech, Mr. Badger introduced to him Miss Harris, of Granville, who had come to see and present to him a silk vest pattern, which she had made, and request that he should wear it upon his inauguration. The vest was accepted together with the request in a very pleasant way. The great crowd moved towards Bennahan's Grove, better known as Baptist Grove, not far from the capitol. The great barbecue was served here and several thousand visitors partook of Raleigh's hospitality.

After the people had enjoyed themselves at the public barbecue, they began to think of returning home. Some lived in the far west and some in the extreme eastern part of the State. On Saturday night those who re-

mained in the city enjoyed a great display of fireworks. In the exhibition there were two fire balloons, one of these had Henry Clay's name upon it, and they said it went directly towards Washington City. On Sunday, Mr. Clay attended church at Edenton Street. Monday he received visitors at the mansion, while on Tuesday he was carried over the city. On Thursday he left Raleigh for Petersburg, accompanied by the Virginia committee.

While everything seemed bright, happy, and pleasant to Clay during his stay in Raleigh, yet he was in the midst of death so far as his presidential aspirations were concerned. While here he penned his own doom, known as the Raleigh letter. On April 17 he wrote a letter to the Petersburg National Intelligencer, expressing his views on the Texas question. The people had demanded his views on the question, so he expressed them in this letter.

This letter being so important in the history of the campaign, I will give briefly his views on the subject as expressed in this letter. He said he was in favor of annexing Texas "if it could be done without loss of national character, without the hazard of foreign war, with the general concurrence of the nation, without any danger to the integrity of the Union, and without giving any unreasonable price for it." He said he did not think this could be done. He sums up his views in the following words: "I consider the annexation of Texas at this time without the consent of Mexico, as a measure compromising the character of the nation, involving us certainly in a war with Mexico and probably with other foreign powers, dangerous to the integrity of the Union, inexpedient in the present financial conditions of the country, and not called for by any general expression of public opinion." From a theoretical standpoint this seems plausible, but did not satisfy the people. So ends Clay's visit to Raleigh.

SOME SOCIAL TRAITS OF THE QUAKERS OF RICH SQUARE.

BY W. A. BRYAN.

I.

I have previously given a short history of the founding of Rich Square meeting and need not go into details here. Suffice it to say that prior to 1760 many Quakers moved from Virginia and some of the far eastern counties of the colony of North Carolina to Northampton county and settled around Rich Square. At the quarterly meeting held in the Old Neck in Perquimans county in May and June of 1760, the following was recorded in the minutes: "It appears to this meeting by the petition of friends of Northampton, Edge Comb, and Hertford Counties, they the Inhabitation of said Counties, Called Quakers, Requested to have a Monthly Meeting Settled amongst them at their meeting at Rich Square in Said County the first seventh day in each month and also a general first day's meeting the day following which. Said request of theirs is approved by this meeting and accordingly granted." This meeting was soon thereafter established and met at the homes of the Quakers until a meeting house could be built. The house was built on what is now the public square of the town, and even now the old burying ground, which was near the meeting house, is clearly traceable. About the middle of the nineteenth century the house was moved to a point east of town and is still situated at this point, near the railroad station.

Since this paper is not intended to give a history of the Rich Square meeting it will be well to hasten to my subject. I shall treat some of the social relations of the Society, especially as regards marriage. All who know aught of the Quakers know that they have remained about as puritanic in their religious ideas as any sect in

our State, but even the strictest of the sect could not withstand the change which has come about during the past two hundred years, and today the Quakers are in many respects as broadminded as any of the believers. The older members of the Society adhere to the plainness in dress advocated by former generations, but the younger members show clearly the tendency towards modernism. This breaking away from the old puritanic idea is very clearly shown by noting the development as regards marriages and the church's relation thereto.

That we may get some idea as to what a Quaker marriage is like, I take one account from the records: "11th month 1760. Thomas Hollowell and Mary Peelle published their intentions of taking each other in marriage the first time. This meeting appoints Elizabeth Hall and Rachel Daughtry to inspect into the young woman's clearness and make report to nex meeting."

"12th mo. 1760. Elizabeth Hall and Rachel Daughtry being appointed by last monthly meeting to enquire into Mary Peelle's clearness in relation to marriage we finding her clear have had satisfaction there in. Thomas Hollowell and Mary Peelle appeared at this meeting and desired a answer to their proposals last monthly meeting. Matters appearing clear they are left at liberty. This meeting appoints Rachel Daughtry and Rachel Copeland to attend the marriage of Thomas Hollowell and make report to next meeting."

"1st mo. 1761. Rachel Daughtry (and) Rachel Copeland was appointed by last monthly meeting to attend the marriage of Thomas Hollowell for good order's sake and make report to this meeting things was carried on decently and in good order."

This merely gives the process in the women's meeting. The man had to go through the same step in the men's meeting, which appointed a committee to examine him,

and to attend his marriage and report how it was conducted.

The record of the marriage is as follows: "Whereas Thomas Hollowell of the County of Perquimans, son of John and Sarah Hollowell of the colony of Virginia and county of Norfolk, and Mary Peelle Daughter of Robert Peelle of Northampton County and Elizabeth Peelle Deceased, having Publicly declared their intentions of taking each other in marriage, the People called Quakers in the county of Northampton according to them whose Proceedings therein after a Deliberate Consideration thereof with Regard unto the Righteous Law of god and Example of his People Recorded in the Scriptures of truth in that case, were approved by the said meetings they appearing clear, of all others, and having also Consent of Parents and Relations concerned.

"Now these are to certify all whom it may Concern that for the accomplishment of their said intentions this seventh day of the twelfth month called December in the year one thousand seven hundred and sixty, They the said Thomas Hollowell and Mary Peelle appeared in a Publick assembly of the aforesaid People and others met together in the County of Northampton in their Public meeting Place at Rich Square, and in Solemn manner he the said Thomas Hollowell taking the said Mary Peelle by the hand did openly Declare as followeth: 'Friends you are my witnesses that I do take this my friend Mary Peelle to be my wife Promising through divine assistance to be to her a True and Loving husband 'till death separate us,' or words to this effect, and then and their in the Said Assembly the said Mary Peelle did in like manner declare as followeth: 'Friends you are my witnesses that I do take this my friend Thomas Hollowell to be my Husband Promising through Divine assistance to be to him a True and Loving wife 'till Death separate us,' or words to that effect.—

"And the said Thomas Hollowell and Mary Hollowell his now wife, as a farther confirmation thereof did then and their to these Presence set their Hands, and we whose names are hereunto subscribed being Present among others at the Solemnization of the above said marriage and subscription in manner aforesaid as witnesses thereunto, have also to these Presence Subscribed our names the day and year above written."

The Quakers have always kept a strict oversight among their members and in the old times it was the custom to disown them when they went astray. In later years the records show that the wayward have been worked with and reclaimed when possible, and they are not so readily disowned now as formerly. It was then practically unpardonable for a member to marry outside the fold, but we note from a study of the records a greater and greater leniency on this point, and now the members often marry outside the society and continue to retain their standing among Friends, but even now the church tries to avoid such when practicable. Permit me to quote several instances recorded in the records of the Women's Monthly Meeting at Rich Square to show how such matters have been dealt with, as well as to show the growing leniency in dealing with them. I note the following:

"8th mo. 1762. It appeared to this meeting Ester Ross after Precaution hath taken a husband not in unity amongst friends. Mary Peelle and Sarah Duke are appointed to draw on a paper of Denial and produce to next monthly meeting. . . . Whereas Mourning Ham daughter of Henry Ham having joined herself in marriage with one not of our Communion, therefore we can do no less than testify to the word that she is not of our Communion."

A case of slightly different nature is stated thus: "It appeared to this meeting that Ruth Daughtry hath

married out from amongst friends without ever being precautioned before marriage, therefore friends appoint Mary Parker and Elizabeth Jordan to treat with her and see if they cannot bring her to a sight of her out goings." We note that she justified her conduct and was accordingly disowned.

In 1790 we note the following: "There was a Complaint brought from the Preparative Meeting against Sarah Copeland for intermarrying with a man not of our society, and also against her mother Mary Copeland for giving her a wedding in her own house." A committee was appointed to visit them, but not getting satisfaction, papers of denial were ordered for both mother and daughter.

1802. "There was a complaint handed up from the Preparative meeting to this against Rachel Outland for marrying with too near kindred." She was disowned for this. In regard to this point we notice the following was added to the discipline in 1832: "No member of Society shall marry the sister of his deceased wife nor no woman shall marry the brother of her deceased husband."

1817. "There was a complaint handed from the preparative meeting held at Rich Square to this against Ann Lawrence for attending a marriage contrary to discipline." She was later disowned.

1840. Note here the change: "Miriam Britton formerly Hall having married contrary to discipline requests to retain her right of membership amongst friends." A committee was appointed to visit her and reported a good degree of satisfaction and she was retained as a member. Many of the Quakers were moving to the far West about this time and it may have been for this reason that the members were retained when possible, but leaving this out of the question there was a growing laxness in the dealings with the members.

There is possibly no sect that is more strictly moral than the Quaker, and for this reason immorality has been and is severely dealt with. There was always a standing committee to search out immorality and report it to the meetings. The private lives of the members were examined into and the records call a spade a spade, sparing none who had strayed from the paths of rectitude. The sexual vices were punishable by expulsion, so that no man or woman having illegitimate offspring could have any part among these people. The keeping of questionable company was a cause for expulsion. Note the following: "5th mo. 1774. A complaint was made to this meeting against C— P— for giving her consent to join in marriage with a man not of our society and contrary to our discipline, also for suffering rude and bad company to frequent her house." She was visited by a committee, but as she persisted in her ways she was denied.

Also this: "it appeared to this meeting that R— P— daughter of S— P— having had her education among the people called Quakers but for want of taking heed to measure of grace wherewith she has been favored hath so far rebelled against the divine command as to be disobedient to parents, also a swearer and a lyer and often frequents bad company." Therefore a paper of denial is ordered against her.

"7th mo 1785. there was a complaint brought into this meeting against R— W— for not using her husband well, and for not attending to her business at home." A committee was appointed to reconcile R—and her husband and they reported to the next meeting "that they had not that satisfaction they desired, things seemed much out of order." She was later disowned.

"4th mo 1794. There was a complaint brought to this meeting from the Preparative meeting against Pharaby Knox for taking Strong Liquor to Eccess." She was

disowned. Of a different nature is the following, taken from the records in 1852: "A Complaint against Mary Elliott for absenting herself from our meetings also for deviating from our well known principles of plainness of speech and dress." She was disowned.

These few extracts will give some idea as to the strictness of the people called Quakers. The records contain many such accounts and in them all one is impressed with the stern justice which was meted out to rich as well as poor. Extravagance in dress and ornaments has always been preached against by them, and nothing is more characteristic of the Society even today than the old-fashioned "Quaker bonnet" and the plain though neat dress worn by the strictest of the sect. In all things they are a painstaking and economical people and few are the homes among them where there is ever want of the necessities of life. Their lifelong training in frugality and plainness has made of them a peaceful and prosperous people, whose history clearly demonstrates that "Blessed are the meek."

